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*Counsel to the Circuit City Stores, Inc.  
Liquidating Trust*

*Counsel to the Circuit City Stores, Inc.  
Liquidating Trust*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:	)	Case No. 08-35653-KRH
	)	
CIRCUIT CITY STORES, INC. <sup>1</sup> , et al.,	)	Chapter 11
	)	
Debtors.	)	(Jointly Administered)
	)	

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**ORDER SUSTAINING LIQUIDATING TRUST'S OBJECTION TO CLAIMS OF  
DIRLEY BALL ON THE GROUNDS THAT THE WORKERS' COMPENSATION  
CLAIM IS RECOVERABLE ONLY FROM THE INSURANCE CARRIER; THE  
SPECIAL CASH RETENTION CLAIM IS NOT ENTITLED TO PRIORITY AND THE  
CONDITIONS NECESSARY TO ALLOWANCE OF THE SHORT TERM INCENTIVE  
CLAIM AND LONG-TERM INCENTIVE CLAIM HAVE NOT BEEN MET**

THIS MATTER having come before the Court on the *Liquidating Trust's*

*Omnibus Objection to Claims of Dirley Ball on the Grounds that the Workers' Compensation*

*Claim is Recoverable Only From the Insurance Carrier; the Special Cash Retention Claim Is*

*Not Entitled to Priority and the Conditions Necessary to Allowance of the Short Term Incentive*

*Claim and Long-Term Incentive Claim Have Not Been Met* (the "Objection"),<sup>2</sup> which requested,

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<sup>1</sup> The Debtors in these cases include: Circuit City Stores, Inc., Circuit City Stores West Coast, Inc., InterTAN, Inc., Ventoux International, Inc., Circuit City Purchasing Company, LLC, CC Aviation, LLC, CC Distribution Company of Virginia, Inc., Circuit City Properties, LLC, Kinzer Technology, LLC, Abbott Advertising Agency, Inc., Patapsco Designs, Inc., Sky Venture Corp, Prahs, Inc., XSStuff, LLC, Mayland MN, LLC, Courchevel, LLC, Orbyx Electronics, LLC, and Circuit City Stores PR, LLC.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

among other things, that the claims specifically identified on Exhibit A attached to the Objection be reclassified and/or disallowed for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that no response was timely filed or properly served by the Claimant being affected by this Order; and it appearing that the relief requested on the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is SUSTAINED.
2. The Workers' Compensation Claim identified on Exhibit A as attached hereto and incorporated herein is forever disallowed in its entirety for all purposes in these bankruptcy cases.
3. The CRP Claim identified on Exhibit A as attached hereto and incorporated herein is reclassified in its entirety as a general unsecured claim for all purposes in these bankruptcy cases.
4. The STIP Claim identified on Exhibit A as attached hereto and incorporated herein is forever disallowed in its entirety for all purposes in these bankruptcy cases.

5. The LTIP Claim identified on Exhibit A as attached hereto and incorporated herein is forever disallowed in its entirety for all purposes in these bankruptcy cases.

6. The Liquidating Trust's rights to object to any claim including (without limitation) the Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.

7. The Liquidating Trust shall serve a copy of this Order on the Claimant included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

8. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia  
Mar 20 2013, 2013

/s/ Kevin R. Huennekens

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HONORABLE KEVIN R. HUENNEKENS  
UNITED STATES BANKRUPTCY JUDGE

Entered on docket: Mar 20 2013

WE ASK FOR THIS:

TAVENNER & BERAN, PLC

/s/ Lynn L. Tavenner

Lynn L. Tavenner (VA Bar No. 30083)  
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- and -

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*Counsel to the Circuit City Stores, Inc.  
Liquidating Trust*

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner

Lynn L. Tavenner

In re Circuit City Stores, Inc, et al.  
Case No. 08-35653  
(KRH)  
**EXHIBIT A**

<b>Date Filed</b>	<b>Claim Number</b>	<b>Claimant Name and Address</b>	<b>Claim Amount as filed</b>
2/2/2009	11102	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	Unliquidated
2/2/2009	11103	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	\$10,950 (priority) \$29,050 (general unsecured)
2/2/2009	11104	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	\$10,950 (priority) \$34,675 (general unsecured)
2/2/2009	11105	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	\$10,950 (priority) Unliquidated (general unsecured)

United States Bankruptcy Court  
Eastern District of Virginia

In re:  
Circuit City Stores, Inc.  
Debtor

Case No. 08-35653-KRH  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0422-7

User: frenchs  
Form ID: pdforder

Page 1 of 2  
Total Noticed: 1

Date Rcvd: Mar 20, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on  
Mar 22, 2013.

cr +Dirley L. Ball, 14029 Rockbasket Place, Chester, VA 23836-9711

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

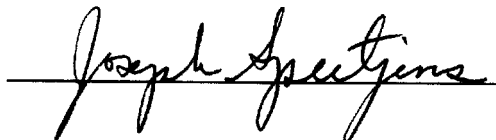
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 22, 2013

Signature:



District/off: 0422-7

User: frenchs  
Form ID: pdforder

Page 2 of 2  
Total Noticed: 1

Date Rcvd: Mar 20, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on March 20, 2013 at the address(es) listed below:  
NONE.

TOTAL: 0